

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
Jackson Division**

**MISSISSIPPI ASSOCIATION OF
EDUCATORS, ET AL.,**

Plaintiffs,

Civil No. 3:25cv00417-HTW-LGI

v.

LYNN FITCH, ET AL.,

Defendants.

**PLAINTIFFS' MOTION TO EXTEND
TEMPORARY RESTRAINING ORDER**

Fed. R. Civ. Proc. Rule 65(b)(2) regarding temporary restraining orders includes the following: “The order expires at the time after entry—not to exceed 14 days—that the court sets, unless before that time the court, for good cause, extends it for a like period or the adverse party consents to a longer extension. The reasons for an extension must be entered in the record.” The Court’s TRO was issued on Sunday, June 20, 2025. Fourteen days after is this coming Sunday, August 3. In an abundance of caution, the Plaintiffs request that the Court issue a 14 day extension so that it will expire on August 17. This will provide the Court additional time to conduct the preliminary injunction hearing on August 5 and issue a ruling on the preliminary injunction by August 17.

In its TRO order, the Court stated that it “shall remain in effect until this Court renders its ruling on the Plaintiffs’ Motion for Preliminary Injunction, unless extended for good cause.” [51] at 14. Nevertheless, in order to comply with the specific wording and timetables set forth in

Rule 65(b)(2), the Plaintiffs request that the Court grant this motion and extend the expiration date another 14 days so that it remains in place at least through August 17, 2025.

Defense counsel was contacted and he stated that the Defendants oppose the motion. However, they have no basis to do so given that additional time is necessary to hear the motion for preliminary injunction on August 5 and to issue a ruling. Accordingly, the TRO should be extended in accordance with Fed. R. Civ. Proc. Rule 65(b)(2).

Dated: August 1, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing has been filed on the ECF system which served all counsel of record on this 1st day of August, 2025.

s/ Robert McDuff
Co-counsel for Plaintiffs